

1 Bureau of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, CA 90013-1105

4 (213)576-6982

FILED

JUL 15 2014

BUREAU OF REAL ESTATE

By 

7
8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of) No. H-39282 LA
12)
13 VENUS ELIZABETH SIERRA,) STIPULATION AND AGREEMENT
14) Respondent.)

15 It is hereby stipulated by and between VENUS ELIZABETH SIERRA
16 (“Respondent”), acting on her own behalf, and the Complainant, acting by and through Amelia
17 V. Vetrone, Counsel for the Bureau of Real Estate, as follows for the purpose of settling and
18 disposing of the Accusation filed on or about January 24, 2014, in this matter:

19 1. All issues which were to be contested and all evidence which was to be
20 presented by Complainant and Respondent at a formal hearing on the Accusation, which
21 hearing was to be held in accordance with the provisions of the Administrative Procedure Act
22 (APA), shall instead and in place thereof be submitted solely on the basis of the provisions of
23 this Stipulation and Agreement.

24 2. Respondent has received, read and understands the Statement to Respondent,
25 the Discovery Provisions of the APA and the Accusation filed by the Bureau of Real Estate in
26 this proceeding.

1 3. On February 27, 2014, the Bureau of Real Estate received Respondent's
2 Notice of Defense pursuant to Section 11506 of the Government Code for the purpose of
3 requesting a hearing on the allegations in the Accusation. Respondent hereby freely and
4 voluntarily withdraws said Notice of Defense. Respondent acknowledges that she understands
5 that by withdrawing said Notice of Defense she will thereby waive her right to require the
6 Commissioner to prove the allegations in the Accusation at a contested hearing held in
7 accordance with the provisions of the APA and that she will waive other rights afforded to her
8 in connection with the hearing such as the right to present evidence in defense of the allegations
9 in the Accusation and the right to cross-examine witnesses.

10 4. Respondent, pursuant to the limitations set forth below, hereby admits that
11 the factual allegations (or findings of fact as set forth below) in Paragraphs 2, and 3, of the
12 Accusation filed in this proceeding are true and correct such that the Real Estate Commissioner
13 shall not be required to provide further evidence of such allegations.

14 5. It is understood by the parties that the Real Estate Commissioner may adopt
15 the Stipulation and Agreement as his Decision in this matter, thereby imposing the penalty and
16 sanctions on Respondent's real estate license and license rights as set forth in the below
17 "Order". In the event that the Commissioner in his discretion does not adopt the Stipulation
18 and Agreement, it shall be void and of no effect, and Respondent shall retain the right to a
19 hearing and proceeding on the Accusation under all the provisions of the APA and shall not be
20 bound by any admission or waiver made herein.

21 6. The Order or any subsequent Order of the Real Estate Commissioner made
22 pursuant to this Stipulation and Agreement shall not constitute an estoppel, merger or bar to any
23 further administrative or civil proceedings by the Bureau of Real Estate with respect to any
24 matters which were not specifically alleged to be causes for accusation in this proceeding.

25 DETERMINATION OF ISSUES

26 By reason of the foregoing stipulations, admissions and waivers and solely for
27 the purpose of settlement of the pending Accusation without a hearing, it is stipulated and

1 agreed that the following determination of issues shall be made:

2 The conduct of Respondent, as described in the Accusation is grounds for the
3 suspension or revocation of all of the real estate licenses and license rights of Respondent under
4 the provision of Sections 490 and 10177(b) of the California Business and Professions Code.

5 ORDER

6 All licenses and licensing rights of Respondent VENUS ELIZABETH SIERRA
7 under the Real Estate Law are revoked; provided, however, a restricted real estate salesperson
8 license shall be issued to Respondent pursuant to Section 10156.5 of the Business and
9 Professions Code if Respondent makes application therefor and pays to the Bureau of Real
10 Estate the appropriate fee for the restricted license within 90 days from the effective date of this
11 Decision. The restricted license issued to Respondent shall be subject to all of the provisions of
12 Section 10156.7 of the Business and Professions Code and to the following limitations,
13 conditions and restrictions imposed under authority of Section 10156.6 of that Code:

14 1. The restricted license issued to Respondent may be suspended prior to hearing
15 by Order of the Real Estate Commissioner in the event of Respondent's conviction or plea of
16 nolo contendere to a crime which is substantially related to Respondent's fitness or capacity as
17 a real estate licensee.

18 2. The restricted license issued to Respondent may be suspended prior to
19 hearing by Order of the Real Estate Commissioner on evidence satisfactory to the
20 Commissioner that Respondent has violated provisions of the California Real Estate Law, the
21 Subdivided Lands Law, Regulations of the Real Estate Commissioner or conditions attaching to
22 the restricted license.

23 3. Respondent shall not be eligible to apply for the issuance of an unrestricted
24 real estate license nor for the removal of any of the conditions, limitations or restrictions of a
25 restricted license until one (1) year has elapsed from the effective date of this Decision.

26 4. Respondent shall submit with any application for license under an employing
27 broker, or any application for transfer to a new employing broker, a statement signed by the

1 prospective employing real estate broker on a form approved by the Bureau of Real Estate
2 which shall certify:

3 (a) That the employing broker has read the Decision of the Commissioner which
4 granted the right to a restricted license; and

5 (b) That the employing broker will exercise close supervision over the
6 performance by the restricted licensee relating to activities for which a real estate license
7 is required.

8 5. Respondent shall, within nine months from the effective date of this
9 Decision, present evidence satisfactory to the Real Estate Commissioner that Respondent has,
10 since the most recent issuance of an original or renewal real estate license, taken and
11 successfully completed the continuing education requirements of Article 2.5 of Chapter 3 of the
12 Real Estate Law for renewal of a real estate license. If Respondent fails to satisfy this
13 condition, the Commissioner may order the suspension of the restricted license until the
14 Respondent presents such evidence. The Commissioner shall afford Respondent the
15 opportunity for a hearing pursuant to the Administrative Procedure Act to present such
16 evidence.

17 6. Respondent shall notify the Commissioner in writing within 72 hours of any
18 arrest by sending a certified letter to the Commissioner at Bureau of Real Estate, Post Office
19 Box 137013, Sacramento, CA 95813-7013. The letter shall set forth the date of Respondent's
20 arrest, the crime for which Respondent was arrested, and the name and address of the arresting
21 law enforcement agency. Respondent's failure to timely file written notice shall constitute an
22 independent violation of the terms of the restricted license and shall be grounds for the
23 suspension or revocation of that license.

24
25 DATED: 6-19-14

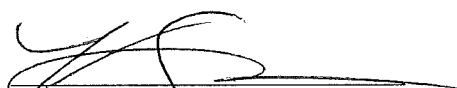
26 Amelia V. Vetrone
27 Amelia V. Vetrone
Counsel for the
Bureau of Real Estate

1 * * *

2 I have read the Stipulation and Agreement, and its terms are understood by me
3 and are agreeable and acceptable to me. I understand that I am waiving rights given to me by
4 the California Administrative Procedure Act (including but not limited to Sections 11506, 11508,
5 11509 and 11513 of the Government Code), and I willingly, intelligently and voluntarily waive
6 those rights, including the right of requiring the Commissioner to prove the allegations in the
7 Accusation at a hearing at which I would have the right to cross-examine witnesses against me
8 and to present evidence in defense and mitigation of the charges.

9 Respondent can signify acceptance and approval of the terms and conditions of
10 this Stipulation and Agreement by faxing a copy of the signature page, as actually signed by
11 Respondent, to the Bureau at the following telephone/fax number: (213) 576-6917. Respondent
12 agrees, acknowledges and understands that by electronically sending to the Bureau a fax copy
13 of her actual signature as it appears on the Stipulation and Agreement, that receipt of the faxed
14 copy by the Bureau shall be as binding on Respondent as if the Bureau had received the original
15 signed Stipulation and Agreement.

16
17
18 DATED: 6/11/12


19 VENUS ELIZABETH SIERRA
20 Respondent

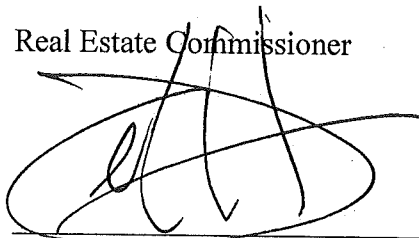
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

The foregoing Stipulation and Agreement is hereby adopted as my Decision in
this matter, and shall become effective at 12 o'clock noon on AUG 05 2014.

IT IS SO ORDERED JUN 23 2014.

Real Estate Commissioner



By: JEFFREY MASON
Chief Deputy Commissioner